

In re Application of: Will Watson; Alan L. Miller; Drew A. Sundquist; Roger T. Simpson;
Diane K. Ducklow; Joseph W. Beckerman; Dan J. Showalter

For: ON DEMAND VEHICLE DRIVE SYSTEM

Attorney Docket No: 91043G (3343-300)

"Express Mail" mailing label number: EV 329 456 639 US

Date of Deposit: August 1, 2003

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UTILITY PATENT APPLICATION TRANSMITTAL

MS PATENT APPLICATION
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450



Sir:

Transmitted herewith is:

- ☐ A new application under 37 C.F.R. §1.53(b).
☒ A ☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) under 37 C.F.R. §1.53(b) of prior application no. 09/788,832.

Prior application information: Examiner: Frank Bennett Vanman Group Art Unit: 3618

- ☐ Maintenance of copendency of prior application: A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

For Continuation or Divisional Applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied as indicated below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The following application elements and other papers are attached:

1. ☒ Specification, including 74 pages of application (including title page, claims and Abstract), 19 sheet(s) of drawings, and the following Appendices: _____.
2. ☒ Combined Declaration and Power of Attorney (4 pages)
☐ Newly-executed (original or copy)
☒ Copy from a prior application (37 CFR §1.63(d))
☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53(d)(4). Please DELETE the following inventor(s) named in prior nonprovisional application no: _____:
3. ☐ Small Entity Status:
☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.
☐ Is no longer desired.

4. Fee calculation:

Claims as Filed	Col. 1	Col. 2
For	No. Filed	No. Extra
Basic Fee		
Total Claims	20-20	0
Indep. Claims	1-3	0
Multiple Dependent Claims Present		

*If the difference in col. 1 is less than zero, enter "0" in col. 2.

Small Entity	
Rate	Fee
	\$ 375
x\$9=	\$
x\$42=	\$
+\$140=	\$
Total	\$

Other Than Small Entity	
Rate	Fee
	\$ 750
x\$18=	\$0
x\$84=	\$0
+\$280=	\$0
Total	\$750

5. Fee payment :

- ☒ A check in the amount of \$750.00 to cover the filing fee is enclosed.
- ☐ Please charge my Deposit Account No. 23-1925 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
 - ☒ Any additional filing fees required under 37 CFR § 1.16.
 - ☒ Any patent application processing fees under 37 CFR §1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
 - ☒ Any filing fees under 37 CFR § 1.16 for presentation of extra claims.
 - ☒ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The issue fee set in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

6. ☐ Certified copy of priority document(s)

☐ is attached or ☐ has been filed in prior application no. _____ / _____.

7. ☐ English Translation Document

☐ is attached or ☐ has been filed in prior application no. _____ / _____.

8. ☒ Preliminary Amendment:

- ☒ A Preliminary Amendment will follow.
- ☒ Cancel in this application original claims 21-81 of the prior application before calculating the filing fee.
- ☒ Please amend the specification by inserting before the first line the sentence:

"This is a ☐ continuation ☒ divisional ☐ continuation-in-part of copending application(s) serial no. 09/788,832 filed on February 20, 2001, which is a divisional application of Serial No. 09/327,140, filed June 7, 1999, now United States Patent No. 6,263,995 granted July 24, 2001 which, in turn, is a divisional application of Serial No. 08/998,265, filed December 24, 1997 now United States Patent No. 6,062,330 granted May 16, 2000 which, in turn, is a divisional application of Serial No. 08/814,189, filed March 10, 1997 now United States Patent No. 5,954,150 granted September 21, 1999 which, in turn, is a divisional of Serial No. 08/485,563, filed June 7, 1995 now United States Patent No. 5,609,219, granted March 11, 1997, which, in turn, is a divisional application of Serial No. 08/387,139, filed February 10, 1995 now United States Patent No. 5,485,894, granted January 23, 1996, which, in turn, is a divisional application of Serial No. 07/903,696, filed June 24, 1992, now United States Patent No. 5,407,024, granted April 18, 1995.

☐ A "Petition to Suspend Prosecution For the Time Necessary to File an Amendment (New Application Filed Concurrently)" is attached.

9. ☒ Information Disclosure Statement, including Form PTO-1449 (1 sheet) and copies of references cited

10. ☒ The prior application was assigned of record to BorgWarner, Inc.

11. ☐ Nonpublication Request under 35 USC §122(b)(2)(B)(i)

12. ☒ Other: Information Disclosure Statement; Form PTO-1449.

13. ☒ Return Postcard

14. The power of attorney in the prior application is to: Greg Dziegielewski, (Reg. No. 28,073);

Thomas F. Quinn, Jr. (Reg. No. 35,988); David D. Murray (Reg. No. 28,647).

- ☒ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers in the prior application, but was filed on: _____
- ☐ A new power has been executed and is attached.

15. Correspondence Address: Please address all future communications to:

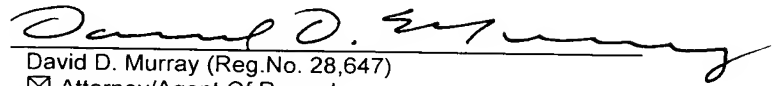
BorgWarner, Inc.
Attention: Patent Docket Administrator
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326

Address Telephone Calls to: David D. Murray - (734) 302-6000

Respectfully submitted,

August 1, 2003

Date



David D. Murray (Reg.No. 28,647)

☒ Attorney/Agent Of Record

☐ 37 C.F.R. 1.34(a)